

REMARKS

Claims 1, 5, and 7 are pending in the Application. Claims 8-9 are withdrawn. Support for these amendments is found in the specification in original claims 3 and 4 and the page 3, lines 18-21. The Tg's of the first and second polymer are now limited to the preferred (first polymer) and most preferred (second polymer) embodiments.

Rejection under 35 USC 102 as being anticipated by JP 103513/92

Japanese Patent Publication (kokai) No. 103513/92 describes polymer compositions for use in nail enamels. By their very nature, the polymers used in such compositions dry to form water insoluble films. In fact, the patent indicates that the composition provides excellent water resistance. Otherwise, the nail enamel would be removed whenever the nails were exposed to water. Thus, the problem addressed by the compositions of JP 103513/92 is to provide a polymer composition which will dry to a water insoluble film. The polymers useful in such blends are significantly different than those disclosed in Applicants' invention which is limited to polymers made from a specific group of ethylenically unsaturated monomers which produce polymers which are easily removeable from the hair with water. Applicants' invention is to provide a polymer blend used in hair styling compositions. One of the key properties of such compositions is that they are easily removeable (see the specification, page 1, line 23). Thus, the problem addressed by the compositions of Japanese Patent Publication (kokai) No. 103513/92 and Applicants' invention is markedly different and would require blends of polymers with markedly different properties. The polymer compositions exemplified in JP 103513/92 have Tg's of 50° C and 10° C. These are also significantly different than the Tg's now claimed by Applicants.

Rejection under 35 USC 102 as being anticipated by WO 99/63955("955")

The compositions disclosed in 955 require a tacky polymer with a Tg of less than 20° C. Applicants claims are limited to polymers mixtures in which the Tg of the lower Tg polymer is 20° C to 35° C. This limitation is outside of the Tg range disclosed in 955. Therefore, Applicants' invention is not anticipated by 955.

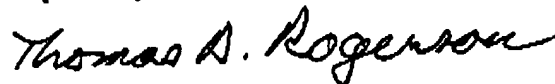
Rejection under 35 USC 102 as being anticipated by US 6,136,884 ("884")

The Office Action states that '884 discloses a latex composition for hair care which comprises a hybrid graft copolymer further comprising at least two distinct polymers similar to those of Applicants' invention.

The compositions disclosed in 884 comprise hybrid-graft copolymers having a sulfopolyester grafted with an acid-functional polymer. Applicants' polymer mixture is limited to polymers made up of specific monomers. This does not include monomers which would result in sulfopolyester functionality. As a result, Applicants' polymer mixture is not anticipated by the polymers disclose in 884.

With this amendment, Applicants believe that the claims are distinguished over the cited references and are in condition for allowance. Should the Examiner have any suggestions which may put the Application in better condition for allowance, Applicants' attorney is willing to discuss any such suggestions either by phone or at the U. S. Patent and Trademark Office.

Respectfully submitted,



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